

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN MEADE OGBURN,

Defendant.

CR-04-84-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 13, 2024. (Doc. 176.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 6, 2024. (Doc. 175.) The United States accused John Meade Ogburn (Ogburn) of violating his

conditions of supervised release 1) by using controlled substances on two separate occasions; and 2) by failing to notify his probation officer that he had a contact with law enforcement. (Doc. 164.)

At the revocation hearing, Ogburn admitted to having violated the conditions of his supervised release 1) by using fentanyl on two separate occasions; and 2) by failing to notify his probation officer that he had a contact with law enforcement. (Doc. 175.) Judge Johnston found that the violations Ogburn admitted are serious and warrants revocation of his supervised release and recommends a sentence of 3 months, with 33 months of supervised release to follow. Judge Johnston also recommends that Ogburn should serve the first 60 days of his supervised release in a secure inpatient drug treatment facility such as Connections Corrections. Ogburn was advised of his right to appeal and allocute before the undersigned. (Doc. 175.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc.176) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant John Meade Ogburn be sentenced to the Bureau of Prison for 3 months with 33 months of supervised release to follow. Ogburn should serve the first 60 days of his supervised release in a secure drug treatment facility such as Connections Corrections.

DATED this 26th day of March, 2024.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court